

# Cooley

February 26, 2025

***E-Filed and Via Hand Delivery***

The Honorable Vince Chhabria  
 450 Golden Gate Avenue  
 17th Floor, Courtroom 4  
 San Francisco, CA 94102

Re: *Kadrey, et al v. Meta Platforms, Inc.*, Case No. 3:23-cv-03417-VC  
 Enclosure of Documents for *In Camera* Review

Dear Judge Chhabria,

We write on behalf of Defendant Meta Platforms, Inc. (“Meta”), in response to the Court’s Order requesting additional documents for *in camera* review (Dkt. 454). Meta is enclosing a flash drive for *in camera* review containing the “seven documents identified in the appendix” to Plaintiffs’ first supplemental letter (Dkt. 418) and the “eight redacted documents identified in the appendix” to Plaintiffs’ second supplemental letter (Dkt. 429). Meta is also providing the Court with its privilege log entries for these documents, which Meta will also serve on Plaintiffs’ counsel.

While preparing the documents identified by the Court for *in camera* review, Meta has further reviewed its redactions, including in view of the Court’s Order yesterday (Dkt. 455) and has identified certain redactions within five of those documents over which Meta does not seek to maintain an assertion of privilege and has redacted portions of one document previously withheld in its entirety. Meta will produce these documents with more limited redactions to Plaintiffs and has included them in the submission to the Court. Those documents are identified in the second column of the log provided to the Court and to Plaintiffs’ counsel. Meta has attempted in good faith to make appropriate privilege assertions and avoid waiver, and it appreciates the Court’s guidance given the judgment calls required. Recognizing the judgment calls involved, Meta appreciates the opportunity to answer any questions the Court has regarding its privilege assertions.

Meta reiterates its appreciation for the Court’s attention to this matter. Meta remains hopeful that *in camera* review of these additional materials will further dispel any concerns related to the crime-fraud exception. If not, Meta renews its request for an opportunity to fully brief the inapplicability of the crime-fraud exception to the documents submitted before the Court reaches any conclusion about the applicability of the exception.<sup>1</sup>

Respectfully submitted,

/s/ Bobby Ghajar  
/s/ Kathleen Hartnett  
 Bobby A. Ghajar  
 Kathleen Hartnett  
 COOLEY LLP

*Counsel for Defendant Meta Platforms, Inc.*

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<sup>1</sup> As Meta has indicated previously (*see* Dkt. 422 at 2 n.1, Dkt. 448), it respectfully submits that Plaintiffs have failed to make the required showing for *in camera* review or the application of the crime-fraud exception to these documents.